

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIE D. JOHNSON, III,)	
)	
Plaintiff,)	Civil Action No. 2: 14-cv-00914
)	
v.)	United States District Judge
)	Nora Barry Fischer
PA DEPARTMENT OF CORRECTIONS,)	
et al,)	United States Magistrate Judge
)	Cynthia Reed Eddy
Defendants.)	

MEMORANDUM ORDER

Before the Court is the Report and Recommendation of Magistrate Judge Cynthia Reed Eddy who has recommended that this action be dismissed for Plaintiff's failure to follow the Court's Order of August 28, 2014, requiring him to pay an initial partial filing fee of \$95.95. In her Report, she notes that Plaintiff has also failed to respond to the Court's Order dated October 15, 2014, to show cause why this case should not be dismissed for failure to pay the required fee.

Plaintiff was served with the Report and Recommendation and informed that he had until December 1, 2014, to file written objections. As of the date of this Order, Plaintiff has neither filed objections nor paid any portion of the filing fee. In fact, the Court has not received any correspondence or filings from Plaintiff since August 26, 2014, when he resubmitted his Motion for Leave to Proceed *in forma pauperis*. It appears as though Plaintiff has no interest in pursuing this matter any further. Therefore, after *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered.

AND NOW, this 5th day of December, 2014,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 7) is **ADOPTED** as the opinion of the Court.¹

AND IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

By the Court:

s/Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc: WILLIE D. JOHNSON, III
EE-1852
SCI FOREST
P.O. BOX 945
Marienville, PA 16239
(Via First Class Mail)

¹ The Court notes that the last sentence on Page 4 of the Report and Recommendation should be corrected to read as follows: "Given the nature of Plaintiff's allegations, this factors weighs in favor of dismissal."